

**SEPARATE STATEMENT OF
COMMISSIONER KATHLEEN Q. ABERNATHY**

Re: Amendment of Part 2 of the Commission's Rules to Allocate Spectrum Below 3 GHz for Mobile and Fixed Services to Support the Introduction of New Advanced Wireless Services, including Third Generation Wireless Systems, ET Docket No. 00-258, FCC 04-219

One of the most important roles of the Commission is to make additional spectrum available for new and innovative communications services. Over the past few years, the FCC, in conjunction with NTIA, has made available 90 MHz of additional spectrum for advanced wireless communications services. Today, we go further by making another 20 MHz of spectrum available for these uses. By doing so we are continuing to promote spectrum efficiency and creating an environment that encourages the deployment of new and innovative services, including broadband, to Americans.

While supporting this action, I also recognize that redesignation of the H block spectrum for advanced wireless communications uses holds the potential to cause harmful interference with existing broadband PCS services unless we adopt appropriate technical limitations on operations within the H block. However, I believe that these concerns can be adequately addressed as we craft the service and technical rules for this band. Accordingly, I look forward to receiving the comments and test data we are soliciting in response to the notice of proposed rulemaking in the service rule companion proceeding. At that point, I will carefully review the record and work with all interested parties to ensure that we craft technical rules that protect incumbent broadband PCS operations while also permitting the deployment of advanced wireless services in the H block.